

REMARKS

Claims 1 – 14 were pending in this application.

Claims 1-8 were withdrawn from consideration

Claims 8 - 14 were rejected.

Claims 1 – 7 were cancelled.

Claims 8, 9, 11 and 14 were amended.

I. 35 USC 102(b) Rejections

Claims 8, 9, 11, 12 and 14 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent App Pub No. 2004/0123875 to Kim.

The rejected claims contain two independent claims, which are Claim 8 and Claim 11. Both of these claims have been amended and are believed to be distinguishable over the cited prior art, as is explained below.

Claim 1

Claim 1 sets forth a method of clipping a claw nail of an animal. The method includes providing a light source. However, the position of the light source is very important. The light source is used to shine light through the claw nail so nerve endings and blood vessels within the claw nail can be observed. Claim 1, therefore specifically claims the method step of :

“shining light from said light source through the claw nail, wherein said claw nail is aligned directly between said light source and an observer to make positions of blood vessels within the claw nail apparent to the observer.”

It will be understood that the blood vessels and nerves within the claw nail can only be observed by placing the claw nail directly in between the observer and the light source. It is only in this

way that the light source can pass through the biomaterial of the claw nail and be observed.

The method step of placing a claw nail between an observer and a light source is in no manner disclosed by the cited prior art.

The cited Kim application discloses a standard set of nail clippers having an internal light source. The light source is located inside the clipper behind the cutters. Accordingly, when the cutters close, the cutters themselves block the light of the internal light source.

The light in the Kim design is used to illuminate a fingernail “in a dark environment”. See Abstract of Kim. The light is provided for superficial illumination purposes only. The Kim reference makes no disclosure of cutting an animal claw nail or using the light to illuminate the nerves and blood vessels within a claw nail. In fact, due to the position of the light source behind the cutters, it is impossible for the Kim design to shine light through a claw nail while cutting.

As applied specifically to the wording of Claim 8, the Kim reference does not disclose the step of shining light from a light source through the claw nail, wherein the claw nail is aligned directly between the light source and an observer to make positions of blood vessels within the claw nail apparent to the observer.

Furthermore, the Kim reference does not disclose the step of clipping at least one portion of the claw nail not containing a blood vessel, while maintaining the claw nail between the light source and the observer.

Since these method steps are claimed but are not disclosed by the cited art, it is believed that the matter of Claim 8 is distinguishable over the Kim reference. The Examiner is therefore respectfully requested to withdraw the 35 USC 102 rejection.

Claim 11

Claim 11 sets forth a method of determining the position of a blood vessel in the claw nail of an animal so that the claw nail can be safely clipped. The method includes positioning the claw nail directly between a light source and an observer, so that the light source shines light through the claw nail and exposes a position of a blood vessel within the claw nail to the observer.

As has been previously explained the Kim design is used to illuminate a fingernail “in a dark environment”. See Abstract of Kim. The Kim reference makes no disclosure of cutting an animal claw nail or using the light to illuminate the nerves and blood vessels within a claw nail. In fact, due to the position of the light source behind the cutters, it is impossible for the Kim design to shine light through a claw nail while cutting.

The Kim reference therefore fails to anticipate the method being claimed. The Examiner is therefore respectfully requested to withdraw the 35 USC 102 rejection as applied to Claim 11 and its dependent claims.

II. 35 USC 103 Rejections

Claims 10 and 13 were rejected under 35 USC 103(a) as being unpatentable over Kim in further view of U.S. Pat App Pub. 2001/0025917 to Asada.

Claim 10 depends from independent Claim 8. Claim 8 is distinguishable over the Kim reference for the reasons previously presented. The Asada patent discloses a device that measures pressure forces at the fingertips. The Asada patent makes no disclosure of a cutter or illuminating blood vessels and nerves in a claw while using a cutter. Accordingly, the Asada patent does not

address the deficiencies of the Kim reference as applied to Claim 8.

Claim 10 is therefore believed to be fully distinguishable over the combined Kim and Asada references because it depends from an allowable base claim.

Claim 13 depends from independent Claim 11. Claim 11 is distinguishable over the Kim reference for the reasons previously presented. The Asada patent discloses a device that measures pressure forces at the fingertips. The Asada patent makes no disclosure of a cutter or illuminating blood vessels and nerves in a claw while using a cutter. Accordingly, the Asada patent does not address the deficiencies of the Kim reference as applied to Claim 11.

Claim 13 is therefore believed to be fully distinguishable over the combined Kim and Asada references because it depends from an allowable base claim.

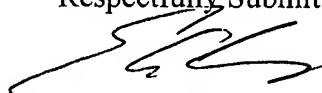
III. DRAWINGS

The Official Draftsman's objections to the drawings have been noted. Formal drawings will be filed upon receipt of the Notice of Allowance for this application.

IV. SUMMARY

Having fully distinguished the pending claims over the cited art, this application is believed to stand in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Examiner is requested to call the applicant's attorney at (215) 321-6772 in order that any outstanding issues may be resolved without the necessity of issuing a further Office Action.

Respectfully Submitted,



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